

## REMARKS

Favorable reconsideration in view of the previous amendments and following remarks is respectfully requested.

Claims 24-44 are pending. By this Amendment, claims 1-23 are cancelled and new claims 24-44 are added.

The Office Action rejects claims 1-7 under 35 U.S.C. §102(b) over U.S. Patent No. 5,898,995 to Ghodbane; rejects claim 8 under 35 U.S.C. §103(a) over Ghodbane in view of DE 19909286 to Bernd et al.; rejects claims 9-11, 14, 15, 18 and 19 under 35 U.S.C. §103(a) over Ghodbane in view of U.S. Patent No. 6,347,527 to Bailey et al.; rejects claim 16 under 35 U.S.C. §103(a) over Ghodbane in view of Bailey and further in view of U.S. Patent Application Publication No. 2005/0061311 to Christensen; rejects claim 21 under 35 U.S.C. §103(a) over Ghodbane in view of Bailey and further in view of U.S. Patent No. 5,291,182 to Wiseman; and rejects claims 12, 13, 17 and 23 under 35 U.S.C. §103(a) over Ghodbane and Bailey and further in view of U.S. Patent No. 6,405,793 to Ghodbane et al. These rejections are moot.

Applicants' new independent claim 24 is directed to a heat pump comprising a refrigerant loop including a refrigerant evaporator. The refrigerant evaporator is a combined fluid air evaporator including at least two duct systems. At least one of the two duct systems has a free surface to which lamellar plane elements are attached which come into thermal contact with a direct air flow. The at least two duct systems are at least partially in thermal contact with one another. A refrigerant is conducted through one duct system and an exothermic fluid is conducted through the other duct system. The refrigerant comes into thermal contact with the exothermic fluid. Using

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the lamellar plane elements attached to the free surface, the refrigerant comes into thermal contact with the direct air flow.

Such features encompass Applicants' exemplary embodiment as illustrated in Figs. 1 and 2 wherein heat pump 6 includes combined fluid air evaporator 2 and at least two separate duct systems including an exterior pipeline 10 and an internal pipeline 11. An airflow is directed to come into thermal contact with lamellar body 9 which causes a heat transfer to fluid passing through pipelines 10 and 11. An exothermic fluid, such as brine, is conducted through the pipeline 11 and a refrigerant is conducted through the pipeline 10. There is close thermal contact between the refrigerant, the exothermic fluid and the air flowing around the lamellar bodies 9.

None of the applied references, either alone or in combination, disclose these features.

The new dependent claims are allowable for at least the reasons discussed above as well as for the individual features they recite.

Early and favorable action with respect to this application is respectfully requested.

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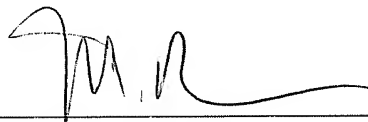
Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful and resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicted below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: February 24, 2009

By:

A handwritten signature in black ink, appearing to read 'P. C. Keane', written over a horizontal line.

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